

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

GERALD A. WEST,	:	
	:	
Plaintiff	:	No. 1:15-CV-00858
	:	
vs.	:	(Judge Kane)
	:	
LIEUTENANT MILLER, et al.,	:	
	:	
Defendants	:	

ORDER

In accordance with the accompanying memorandum, **IT IS HEREBY ORDERED THAT:**

1. West's motion for reconsideration (Doc. No. 27) is **GRANTED**.¹
2. Defendants' second motion for enlargement of time (Doc. NO. 34) to file a brief in opposition to West's motion for reconsideration is **DENIED** as moot.
3. Defendants' motion to dismiss the complaint and/or for summary judgment (Doc. 12) is **GRANTED** as set forth below.
4. West's claim for damages against Defendant Harding with respect to Incident Report 2483187 is **DISMISSED** pursuant to Heck and Edwards.
5. Summary judgment is entered in favor of Defendants and against West for West's failure to exhaust administrative remedies.

1. This case is presently closed and there is no need for the Clerk to reopen the case in light of paragraph 2 through 5.

6. The Clerk of Court shall enter judgment in favor of the Defendants and against Plaintiff as set forth in paragraphs 5.

S/ Yvette Kane
Yvette Kane
United States District Judge

Date: August 23, 2016